

Application No. 10/567,801
Amendment Dated 03/13/2007
Reply to Office Action of 02/13/2007

Remarks/Arguments:

In response to the restriction requirement dated 02/13/2007 Applicants are filing an amended set of claims. Specifically:

- Claim 1 has been amended;
- Claim 3 has been cancelled; and
- Claims 16 and 18-20 are withdrawn pending rejoinder.

Furthermore a typographical error in claim 8 has been corrected.

In response to the restriction requirement, Applicants hereby elect Group I without traverse.

Applicants have amended Claim 1 accordingly, but have retained the following subject matter:

or, when n is 2, the two R¹ groups, together with the carbon atoms of A to which they are attached, may form a 4 to 7 membered saturated ring optionally being substituted by one or two methyl groups;

During a telephone call between Examiner Young and the undersigned on Tuesday 13th March 2007, the Examiner agreed to this subject matter remaining.

Applicants further request rejoinder of the process claims, claims 16 and 18-20, finding basis in the MPEP at section 821.04(b) under Rejoinder of Process Requiring an Allowable Product where it is stated that:

... if applicant elects a claim(s) directed to a product which is subsequently found allowable, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must depend from or otherwise require all the limitations of an allowable product claim for that process invention to be rejoined. Upon rejoinder of claims directed to a previously nonelected process invention, the restriction requirement between the elected product and rejoined process(es) will be withdrawn.

Applicants believe that the present circumstances fulfill this set of criteria and respectfully request that the process claims, 16 and 18-20, are rejoined. Claims 16 and 18-20 are dependent on claim 1, and thus contain all the limitations of claim 1.

Applicants draw the Examiners attention to the accompanying SB08 filed herewith.

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The above amendments have been made without prejudice to Applicants right to prosecute any cancelled subject matter in a timely filed continuation application.

Applicants believe the application is in condition for allowance, which action is respectfully requested.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to deposit account No. 50-3231, referencing Attorney Docket No. 101181-1P US.

Respectfully submitted,
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